

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----!
FREDDY M. MOROCHO, !
WALTER TACURE, on behalf of themselves !
and others similarly situated, !

Plaintiffs, !

GEORGE C. KELLY, and NYACK !
COLONIAL CAR WASH, INC., !

Defendants. !
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Case No. 07 Civ. 2979
(CLB) (MDF)

DECLARATION OF JOHN WEIGEL

JOHN WEIGEL hereby declares as follows:

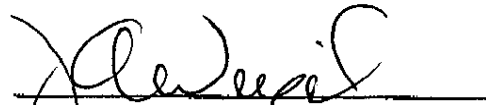
1. I own one-third of Pearl River Car Wash, Inc. ("Pearl River"). I understand that, even though discovery has already been completed between the plaintiffs and the defendants, the plaintiffs are attempting to amend the complaint and add new parties to this action, including me and Pearl River. I have personal knowledge of the information contained herein.

2. Pearl River is a corporation run independently of Nyack Colonial Car Wash, Inc. ("Nyack Colonial"), the defendant corporation in this action. I do not have any ownership interest in Nyack Colonial and the two corporations operate two different car washes, in two different locations. They do not share management. They do not share revenue. They do not share liabilities. They do not share employees. None of the plaintiffs in this action have ever worked for Pearl River, a fact I understand the plaintiffs themselves concede.

3. Moreover, I am not directly involved in the management of the car wash operated by Pearl River or Nyack Colonial.

4. For these reasons, I ask that the plaintiffs' attempt to add me and Pearl River, among others, as parties to this action, be denied.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
March 31, 2008.


JOHN WEIGEL